

**EXECUTIVE SUMMARY**

**CALIFORNIA**

**SIX COUNTY PROBATION SITES**

Prepared for the  
Probation Task Force  
**California Administrative Office of the Courts**

By

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### **SIX COUNTY PROBATION SITES**

#### **PURPOSE OF REPORT**

The Judicial Council of California, Administrative Office of the Courts (AOC), contracted with Alan M. Schuman, Corrections Management Consultant, to describe the operations of six county probation departments. The counties were selected by the AOC and are Fresno, Glenn, Los Angeles, Placer, Santa Clara, and Santa Cruz. Reports were prepared for each of these counties. The data in the reports will provide background information for the newly appointed Probation Services Task Force. The primary purpose of the task force is to assess programs, services, organizational structures, and funding related to probation services provided by counties to the courts, and to report its findings and recommendations to the Judicial Council, the Governor, and the Legislature.

#### **REPORT PREPARATION PROCESS**

On-site interviews were held in the six selected counties. In preparation for the interviews, the consultant developed an 18-category set of questions. During an orientation meeting held in San Francisco on July 6, 2000, these categories and the specific questions related to each were reviewed jointly by the AOC, the judiciary, county supervisors, and probation department representatives from each of the six counties. The questionnaire was finalized, and the same questions were used for all on-site visits.

It was determined that seven stakeholder groups would provide a comprehensive view of probation. These included the judiciary and court administration, senior probation officer staff, first-line supervisors and line staff, county supervisors or their representatives,

prosecutors and defense bar, county community services agencies, and private community services agencies.

The interview process separated juvenile and adult services, and interview sessions were held for each. With the exception of senior probation managers and the county supervisor's representatives who were interviewed about both, the seven stakeholder groups addressed questions specific to either juvenile or adult services.

The design for on-site visits included one day for Glenn County because of the small department size, two days each for Fresno, Placer, Santa Clara, and Santa Cruz counties, and four days for Los Angeles County.

The on-site interviews began July 17, 2000, and were completed on August 18, 2000. Interviews with each stakeholder group ranged in length from one to two hours. There were 65 separate groups interviewed, which included a total of 283 stakeholders. Everyone involved was selected by the local sites to represent a cross-section of the departments or agencies involved.

Each of the counties made advanced preparation prior to the on-site interviews. Their written reports addressed the 18 categories of questions. Special recognition is made of the probation staff who prepared the written documents. The reports to the AOC could not have been completed in the allotted time frame without the contributions of the local staff. In almost every case, on-site cooperation was outstanding and professional.

The project's restricted time frame did not permit follow-up questions or clarifications, and the information provided in the final report to the AOC represents a snapshot review of each department.

Several stakeholder groups addressed the same questions. A separate report addressing juvenile and adult services has been prepared for each county, with the exception of a single combined report for Glenn County. Although many of the answers in both reports

are the same or similar, the questions were addressed separately by both juvenile and adult services stakeholders. In some instances contradictory responses were given. These areas of contradiction are reported under the question to which they apply.

Eighteen categories of questions related to juvenile and adult services were developed:

- I. Demographic Information
- II. Organizational Structure
- III. Department Mission and Objectives
- III. Policies and Procedures
- IV. Monitoring and Evaluation Process
- V. Management Information Systems
- VI. Funding Sources
- VIII. Probation Services
- IX. Specialized Court Services
- X. Probation and Private Service Provider Partnerships
- XI. Staff Development and Training
- XII. Communication Systems
- XIII. Program and Service Gaps
- XIII. Partnership with Judiciary
- XIV. Partnership with Prosecutors and Defense Attorneys
- XV. Partnership with Other Collaborative County Departments
- XVI. Juvenile Probation Partnership with Education System
- XVIII. Strengths of Probation Department

## **CONDENSED HISTORICAL REVIEW OF PROBATION FUNDING RESOURCES**

An important issue streams through California's funding for county probation departments. There was a long period of time when probation department resources diminished dramatically. Adult and juvenile probation services were reduced to a bare minimum. With very limited resources, chief probation officers were charged with

providing services to offenders and protecting their communities. Public safety was the first priority. Then, ranking was necessary for the allocation of the remaining limited resources to juvenile and adult services. For the past six years, resources have increased considerably, and new and innovative services and programs have been integrated into probation departments. Uniformly, the major innovations have been in the juvenile service area. Prevention and early intervention for juveniles have become common priorities for probation departments. This effort is applauded as it has the greatest potential for reducing crime and juvenile involvement in the justice system.

Because of the diminishing resources and because no probation officers were hired during a long period of time, probation departments are faced with a gap in staff experience. Many officers are reaching retirement age. This leaves departments with very few staff with 10 to 15 years of experience, and many officers with 5 or fewer years. The result is too few experienced staff to mentor younger staff. Senior management has the added pressure of ensuring that the quality of probation managers and line staff services is maintained at an acceptable level of performance. More emphasis on proper staff training, clear missions and objectives, and clear policies and procedures is essential.

### **COMMON PROBATION DEPARTMENT ISSUES**

This summary report will highlight the most common themes and practices of the six probation departments. Each point will be addressed within the appropriate category used in the interview process.

#### **▪ DEPARTMENT MISSION AND OBJECTIVES**

Five of the six counties visited have mission statements. At varying intervals, these statements all have been reviewed and updated. The mission statement is a declaration of the main purpose of the department. The objectives provide the specific action steps required at every level of the organization to implement the mission and ensure that all

employees are working toward the same goals. Mission statements become especially significant in departments that have many new employees with limited corrections experience. None of the six counties have departmental objectives for every level of the organization. Specific objectives are in place for grant-related programs.

#### ▪ **MONITORING AND EVALUATION PROCESS**

All six counties have evaluation components for grant-funded programs and for a few contracted services. None have evaluation elements for the majority of services and programs. Everyone recognized that monitoring and evaluation of all programs and services is a desirable goal. Probation departments with limited resources find it difficult to allocate funding for evaluation units or to contract with private vendors when they have such great needs for line officers. This is a catch-22 because the public is demanding governmental accountability in the form of quantifiable, performance-based measures. People want to see results.

Performance-based measures are not being utilized to any extent in any of these six counties. There are two types of performance-based measures. First are process measures that ask whether the program was implemented as designed. Second are outcome measures that ask whether the program or practices achieved the desired results: Did the services address offender needs? Probation departments must have concrete information that demonstrates their value if they are to compete successfully for limited financial resources. The white papers prepared for this task force address the issues of performance-based measures.

#### ▪ **MANAGEMENT INFORMATION SYSTEMS**

There was a strong recognition that fully integrated information systems are crucial for an efficient and effective justice system network. Many of the counties do not have a completely integrated information system, but all felt that the issue is being addressed. Several cited the current necessity of making duplicate data entries as a waste of valuable

staff time. Most of the sites indicated that they have limited capability for data analysis by management and line staff. Some of the departments do not have users committees whose membership is made up of representatives from all levels within the department. These committees help determine the highest priority technology needs. There is finite technology information exchange with other county agencies, especially in the juvenile service arena. The Juvenile Automation System in Fresno County is recognized as an ideal prototype of an integrated system that includes and has the capacity to include all primary juvenile-serving agencies.

Probation staff at all levels recognize the need for information technology staff who are accessible to interpret sophisticated information systems. Staff also expressed the need for training to function effectively with a new technology system.

#### ▪ **FUNDING SOURCES**

For the past five fiscal years, all probation departments interviewed have shown a dramatic increase in total department funding. The increases ranged from 24 to 83 percent. The general fund contributions to the total budget ranged from 35 to 58.3 percent. Four of the six departments receive general funds of less than 50 percent of the total budget, with one department receiving less than 40 percent. With the exception of one unreported department, all others indicate that their general fund contributions have decreased. In one jurisdiction, the decrease since 1997 is 35 percent, and in another the decrease is 18 percent.

The revenue increases have come from fee increases as well as federal and state funds. In the juvenile service area a substantial amount of funding has come from grants. It is important to recognize this changing source of funding for probation departments. Many of the specialized programs and services are grant funded. A considerable number of positions are financed with grant money.

This same scenario occurred in the 1970s, at which time the Law Enforcement Assistance Administration (LEAA) distributed large amounts of money to state and local probation departments. When that funding ended, many progressive probation programs that were LEAA supported were eliminated. The reputation of probation was severely damaged, and it took more than a decade to recover from the loss of service. The current abundance of grant money for special programs and services will diminish, and counties need to prepare to finance programs proven to be effective.

The funding priorities in all six counties emphasize juvenile services. A deliberate (and commendable) focus has been given to juvenile prevention and early intervention services. What cannot be ignored is the limited staff assigned to supervise a predominantly felony adult probation population. All jurisdictions reported that the banked caseloads include offenders in need of direct and intensive supervision. All departments agreed that more resources are needed for adult probation services.

## ▪ **PROBATION SERVICES**

### **Automated and Validated Needs/Risk Tools**

Five of the six counties do not have needs/risk assessments for juveniles as part of the disposition report process. Probation staff administers no specialized juvenile assessment tools for substance abuse, domestic violence, mental health, or sex offenses. A limited number of outside providers provides specialized assessment services. Some grant-funded programs have assessment components.

Four of the six counties administer needs/risk assessments of adult offenders. In each county where these assessments are administered, the needs determined through the evaluation are not being met because of limited staff resources. Some grant-funded programs have assessment components.



The submitted white papers on juvenile and adult probation services stress the importance of properly assessing all offenders. Considerable research on assessment instruments has been conducted, and a number of good instruments have been developed. Today, assessment tools are probation officer friendly. They are self-administered on personal computers, they are scored, and the results are printed, all in 20 to 30 minutes, with none of this requiring time from probation staff. The more advanced instruments have a validation component that determines the truthfulness of the test taker. The better instruments are validated and normed to the probation population in each local jurisdiction. With the proper equipment, a single trained person can administer the assessment to as many as 15 people at a time. This represents considerable timesaving for staff. With good assessments, staff can focus on identified needs and not spend time on a shotgun approach to problems.

### **Probation Supervision Workload Standards**

Staff was asked about the system that is used to determine equal workload distribution among probation staff. All jurisdictions replied that there is no system in place. There are no workload standards for any juvenile or adult probation program in the six counties visited. Grant-funded positions have reduced caseloads in some departments. Only one county sets a maximum number of cases for specialized caseloads. Otherwise, workload standards are determined by the number of staff available to handle the total number of cases. One department reduced the number of adult probation cases to a 100:1 offender-to-officer ratio and then banked the remainder. One department determines workload size during the collective bargaining process with the union. None of the six counties reviewed has conducted a recent time study to determine workload capacities.

Workload measure rather than caseload size is the most accurate and effective gauge to equalize work distribution among probation officers. The white papers indicate that workload measures realistically consider the number of cases, contacts, and other responsibilities of each case, as well as job responsibilities not specifically related to case management. Probationers should be treated differently depending on the amount and

type of supervision they require. Each case is weighted, which helps determine an equal distribution of workloads over a period of time. Probation officers can then be held to the same standards of performance.

#### ▪ **SPECIALIZED COURT SERVICES**

A myriad of specialized courts and services for both juvenile and adult probationers is offered in the six selected probation departments. Adult and juvenile pre- and postconviction drug courts are available or in the planning phase in all counties. Peer courts for juvenile offenders are found in every county, with the exception of Glenn because of its limited number of juveniles. Mental health calendars, informal traffic courts, domestic and family violence courts, victim services programs, and gang prevention programs are common juvenile services in most departments.

Common adult probation services include pre- and postconviction drug courts, domestic violence courts, mental health calendars, sex offender programs, and batterers treatment programs.

In specialized programs, the working relationship between probation and the other stakeholders is outstanding. In both the juvenile and adult probation systems, the adversarial factors are greatly diminished. Judges, probation, prosecutors, defense attorneys, and community-based service agencies and advocates work together as partners. The specialized programs appear to have the effect of bringing everyone together for a single purpose.

It is important to note that a considerable amount of the funding for these specialized programs has come from state and federal funding sources. Counties must plan for the time when these resources are diminished or eliminated. Dropping programs and services that have been accepted by the community as proven and effective deterrents to criminal behavior would be a major loss.

## ▪ **STAFF DEVELOPMENT AND TRAINING**

California's mandatory training for line staff and supervisors is far above the national norm. In addition, most departments have a training unit or officer to coordinate training activities.

Two points were frequently raised during the interview process. First, there are no training courses offered to line officers to begin preparing them for supervisory roles prior to their being selected for supervisory or management positions. This training is especially important in the environment where staff members with fewer years of experience are being promoted to supervisory levels. It is crucial that staff be selected for management positions who have demonstrated the desire and have the skills to perform in that capacity.

Second, the training provided by the state appears adequate, but there are very few opportunities for training outside of the state. Exposure to professionals from other states and jurisdictions would result in new and innovative ways to manage caseloads and add successful new programs and services.

## ▪ **PARTNERSHIP WITH JUDICIARY**

The overall report from juvenile and adult court judges is that the relationship with probation is excellent and is one that is built on mutual respect. Probation staff unanimously responded that they work for the judiciary and that they value this partnership. Judges indicated that, quite appropriately, probation officers are independent of prosecutors and defense attorneys. Judges expressed strong approval and support for probation court officers and felt they should be assigned to all trial court calendars. Their confidence in experienced officers is higher than their confidence in those with less experience. Judges expressed frustration over limited and timely availability of resources for sentencing options. The lack of resources causes frustration for all parties and places

a strain on the relationship between the judiciary and probation. Several references were made to the lateness of court reports.

The relationship between juvenile court judges and probation was a recurring theme. Some counties expressed concern about the relationship between probation and the judiciary. Judges reported that probation officers are becoming less social work and more law enforcement oriented. This manifests itself in probation's requests for commitments to camp. The judiciary frequently denies these requests. Infrequent requests are made by probation to deviate from the sentencing guidelines in favor of community supervision. There is a concern that probation officers are becoming too criminal justice oriented.

There was strong sentiment that the relationship could be enhanced with frequent meetings between the judiciary and probation, and jointly among judges, probation officers, prosecutors, and defense attorneys. The judiciary should be included in the planning process for the strengthening of services to juvenile and adult offenders. Joint training of judges and probation staff was frequently suggested. Judges need to be better educated about the functions of probation.

#### ▪ **PARTNERSHIP WITH OTHER COLLABORATIVE COUNTY DEPARTMENTS**

The relationships with other collaborative agencies varied considerably among counties and between juvenile and adult probation services. The relationships are most favorable when the agencies are working jointly on projects. The specialized drug courts, peer courts, school campus programs, joint narcotic units, and wrap-around services are some of the partnerships that have achieved outstanding collaborative efforts, with all parties working toward the same goals and objectives. The most favorable results occur when the county supervisor's office plays an active leadership role. All the exemplary programs and services include community partners.

## **STRENGTHS OF PROBATION DEPARTMENT**

All the stakeholder groups in every county identified numerous strengths of probation. A general sentiment was that probation is doing a remarkable job with limited resources, especially in the area of adult supervision. The consensus was almost unanimous that the top leadership of probation is competent, visionary, and open to new programs, ideas, and suggestions. The efforts directed toward juvenile prevention and early intervention were highly praised by all stakeholders. Probation officers were described as committed to their communities, innovative, and receptive to partnerships with community agencies and services. Presentence investigations were recognized for their high quality, and probation officers' understanding and interpretation of the sentencing laws were considered invaluable to judges and prosecutors.

## **EXEMPLARY PRACTICES AND PROGRAMS**

Eleven exemplary practices and programs were identified in the six county probation departments: a Juvenile Automation System; a school campus partnership; a wrap-around services program for juveniles and their families; a juvenile restorative justice program; a continuum of sanctions program for juveniles; teen or peer courts; partnerships between juvenile probation and public and private youth-serving agencies; dependency and delinquency issues between judiciary, probation, prosecutor and defense attorney; alternatives to juvenile detention approaches; a system management advocacy resource team for juveniles; and a partnership of the three branches of government working to maximize limited resources.

These exemplary practices and programs all involve partnerships with key community stakeholders and depend on a common commitment to the overriding goal of assisting juveniles and their families. It is significant that the emphasis placed on prevention and early intervention has resulted in model programs and practices that represent some of the best practices in the nation. It is also notable that no adult programs or practices have

been cited by any county as exemplary. This will change with additional resources and increased emphasis on service of the adult probation population. The talent is available, but the resources are not.